

Report Date: August 1, 2006

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 02 2006

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Victor Anthony Schwartz

Case Number: 2:02CR00099-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 7/24/2002

Type of Supervision: Supervised Release

Original Offense: Attempted Possession With Intent
to Distribute 1 Kilogram of Cocaine , 21 U.S.C. §
841(a)(1) and 846

Date Supervision Commenced: 4/28/2006

Original Sentence: Prison - 60 Months; TSR - 48
Months

Date Supervision Expires: 4/27/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

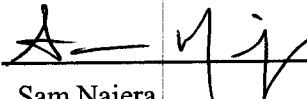
Amended Special Condition 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

Based on the United States v. Stephens (9th Cir. 2005) case, probation is requesting the above noted modification. Mr. Schwartz has no objection to the modification and has signed a waiver of hearing.

Respectfully submitted,

by



Sam Najera

U.S. Probation Officer

Date: August 1, 2006

Prob 12B

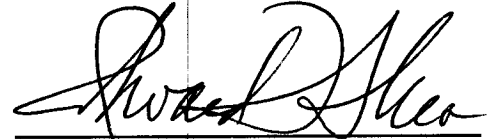
Re: Schwartz, Victor Anthony

August 1, 2006

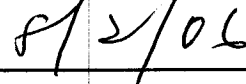
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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

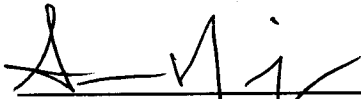
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

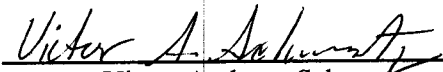
- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Witness:



Sam Najera
U.S. Probation Officer

Signed:



Victor Anthony Schwartz
Probationer or Supervised Releasee

August 1, 2006

Date